



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/940,519  
Applicant : XIAOMING GU  
Filed : AUGUST 29, 2001  
TC/A.U. : 3681  
Examiner : Eric M. WILLIAMS

Confirmation No. : 5214

Docket No. : 280/50357  
Customer No. : 23911

Title : WET MULTIPLATE CLUTCH

**Mail Stop PETITION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**REQUEST TO WITHDRAW FINALITY OF OFFICE ACTION**  
**DATED JULY 1, 2003**

**Mail Stop PETITION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the Office Action dated July 1, 2003, the Examiner made the Office Action final on the ground that "[a]ll claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been final rejected on the grounds and art of record in the next Office Action if they had been entered in the application prior to entry under 37 CFR 1.114."

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As Applicant's counsel recalls that the Examiners indicated in the interview dated June 4, 2003 that a Request for Continued Examination would be required because the claim amendments, which were discussed in the interview and were made later in the response filed on June 12, 2003, would raise new issues that require further consideration. It follows that the Office Action dated July 1, 2003, which was filed with a Request for Continued Examination, was improperly made final, and that the finality of that Office Action should be withdrawn under MPEP 706.07(b).

The petition fee of \$130.00 is submitted herewith.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (CAM #: 038769.50357US).

November 3, 2003

Respectfully submitted,

  
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